

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. Claims 1-3, 6, 10, 13-17, 19, 21, 27, 30-32 have been amended. No new matter has been added.

Applicants are submitting a Petition to change the present office action from a final action to a non-final action under a separate cover.

Examiner rejected claims 1-32 under 35 U.S.C. §102(e) as being unpatentable by U.S. Patent Number 6,504,950 by Murashita et al.

Murashita discloses a display calibration system. (Murashita, 27: 52-54.) When the user in Marushita wants to calibrate the display device associated with a client, the user sends a *request to the server for the transfer of the calibration data* held in the calibration data holding unit. (Murashita, 27: 55-59.) In response to the *request for the calibration data*, the server sends the calibration data to the receiving unit of the client. The display control unit, upon detecting the arrival of the calibration data through the receiving unit, displays a calibration image *based on* the calibration data. (Murashita, 27: 60-66.) Thus, in Murashita, a user requests not an image, but calibration data. Claim 1, on the other hand, recites "**a user request to display one or more images on a user color display device**," which is different from the teaching of Murashita. Thus, Murashita fails to disclose or suggest "**in response to a user request to display one or more images on a user color display device, determining available characterization data for the user color display device**," recited in claim 1.

Furthermore, Claim 1 first recites “**a user request to display one or more images on a user color display device**” and further recites “causing a **version of the one or more images** having color characteristics appropriate to determined characterization data for the user color display device to be **provided to the user.**” In contrast, Murashita discloses a user requesting calibration data rather than an image and the request for calibration data resulting in the displaying of a *calibration image based on the calibration data*, as opposed to **a version of the one or more images** that have been previously requested by the user.

Thus, Murashita fails to disclose or suggest a method including “in response to a **user request to display one or more images** on a user color display device, determining available characterization data for the user color display device; and **causing a version of the one or more images having color characteristics appropriate to determined characterization data for the user color display device** to be provided to the user,” recited in claim 1. Because not every element of claim 1 is disclosed in Murashita, claim 1 and its dependent claims are patentable and should be allowed.

Claim 15 recites a data provider for determining available user color display device characterization data “**in response to a user request to display one or more images** on a user color display device” and an image provider for causing “**a version of the one or more images having color characteristics appropriate to determined characterization data for the user color display device** to be provided to the user.”

Thus, claim 15 and its dependent claims are allowable for at least the reasons articulated with respect to claim 1.

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Elena Dreszer at (408) 947-8200 ext. 209.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,
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